

REMARKS

Applicants have received and reviewed the Office Action dated September 1, 2010. By way of response, Applicants have cancelled claims 12-26 without prejudice. Applicants have amended claim 1 and present new claims 27-29. No new matter has been added. Claims 1, 2, 5, 7-11, and 27-29 are pending. Applicants submit that the amended and newly presented claims are supported by the specification as filed.

For the reasons presented below, Applicants respectfully submit that the amended and newly presented claims are in condition for allowance, and notification to that effect is earnestly solicited.

Rejection of Claims Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-11 were rejected under 35 U.S.C. § 103(a) over Erickson et al., US 2,414,290, in view of Szejtli et al., US 4,529,608 and Bender, US 3,485,920.

Applicants respectfully traverse this rejection.

As stated in the Office Action, two of the references cited in this rejection disclose heating honey to 100 °C. None of the references disclose or suggest heating honey to any temperature significantly above 100 °C. The secondary references do not remedy this shortcoming of the primary references. Thus, the combined references do not render obvious a claim that includes heating honey to any temperature significantly above 100 °C.

Amended independent claim 1 recites “treating honey thermally at 160°C”. This temperature is significantly above 100 °C. In addition, temperatures in the range of 140-160 °C produces the honey preparation that provides the unexpected and advantageous results reported in the present application. Thus, the combined references do not render independent claim 1 obvious.

Newly presented independent claim 27 recites “treating honey thermally at 140-160°C”, which is the temperature range that produces the honey preparation that provides the unexpected and advantageous results reported in the present application. Applicants respectfully submit that the lower end of this temperature range falls within the range found in the specification as filed and is, thus, supported by the specification. Dependent claim 29 recites “treating honey

thermally at significantly greater than 100 to 160°C". Applicants respectfully submit that this recitation of the temperature range is supported by the range found in the specification as filed. Since the references cited in the rejection fail to disclose or suggest any temperature that is significantly above 100 °C, the newly presented claims are not obvious over these references.

Summary

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

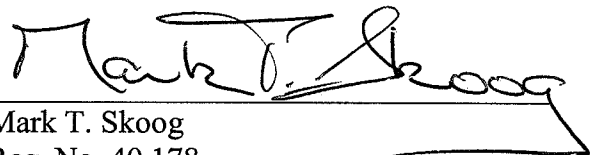
Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

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